



Journal of the Senate

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REPORTS OF COMMITTEES

The Committee on Community Affairs recommends the following pass: SB 1496 with 1 amendment

The Committee on Environmental Preservation recommends the following pass: SB 2126

The bills contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Children and Families recommends the following pass: SB 1800

The Committee on Community Affairs recommends the following pass: SB 1612 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Commerce and Consumer Services under the original reference.

The Committee on Domestic Security recommends the following pass: SB 1888

The bill was referred to the Committee on Community Affairs under the original reference.

The Committee on Government Efficiency Appropriations recommends the following pass: SB 1930

The bill was referred to the Committee on Education under the original reference.

The Committee on Education recommends the following pass: SB 464, SB 1658

The Committee on Government Efficiency Appropriations recommends the following pass: SB 412

The bills contained in the foregoing reports were referred to the Committee on Education Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1842

The bill was referred to the Committee on Environmental Preservation under the original reference.

The Committee on Education recommends the following pass: SB 726

The bill was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 624 with 1 amendment

The bill was referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 346

The Committee on Children and Families recommends the following pass: SB 1278 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1380, SB 1514, SB 1822

The Committee on Education recommends the following pass: SB 434 with 1 amendment, SB 1764

The Committee on Government Efficiency Appropriations recommends the following pass: SB 1680

The Committee on Regulated Industries recommends the following pass: SB 1530

The bills contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Children and Families recommends the following pass: SB 1372

The Committee on Environmental Preservation recommends the following pass: SB 2174

The Committee on Ethics and Elections recommends the following pass: SB 1860 with 1 amendment, SB 2068 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1076

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Government Efficiency Appropriations recommends the following pass: SB 1716

The bill was referred to the Committee on Ways and Means under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1342 with 1 amendment

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 738, SB 1304

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 1230

The Committee on Judiciary recommends a committee substitute for the following: SB 1170

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Banking and Insurance under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 472

The bill with committee substitute attached was referred to the Committee on Children and Families under the original reference.

The Committee on Domestic Security recommends committee substitutes for the following: Senate Bills 528, 530 and 858, SB 860

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1536

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: SB 840

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce and Consumer Services under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 1510

The Committee on Government Efficiency Appropriations recommends a committee substitute for the following: SB 1430

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 1162

The bill with committee substitute attached was referred to the Committee on Criminal Justice under the original reference.

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 1224

The bill with committee substitute attached was referred to the Committee on Education under the original reference.

The Committee on Domestic Security recommends a committee substitute for the following: SB 678

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SJR 1344

The Committee on Judiciary recommends a committee substitute for the following: SB 940

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Government Efficiency Appropriations under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 686, SB 1586

The Committee on Criminal Justice recommends a committee substitute for the following: SB 410

The Committee on Government Efficiency Appropriations recommends a committee substitute for the following: SB 1678

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1006

The Committee on Judiciary recommends committee substitutes for the following: SB 642, SB 746

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Children and Families recommends a committee substitute for the following: SB 1286

The bill with committee substitute attached was referred to the Committee on Health Care under the original reference.

The Committee on Health Care recommends a committee substitute for the following: SB 1412

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1556

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 276

The bill with committee substitute attached was referred to the Committee on Justice Appropriations under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1336

The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1754

The bill with committee substitute attached was referred to the Committee on Rules and Calendar under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 232

The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.

The Committee on Government Efficiency Appropriations recommends a committee substitute for the following: SJR 1436

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: SB 1062

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1506, SB 1620

The Committee on Criminal Justice recommends a committee substitute for the following: SB 562

The Committee on Education Appropriations recommends a committee substitute for the following: SB 122

The Committee on Judiciary recommends a committee substitute for the following: SB 648

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Environmental Preservation recommends that the Senate confirm the following appointments made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Governing Board of the Northwest Florida Water Management District	
Appointees: Michael A. Joyner	03/01/2009
Sharon Pinkerton	03/01/2009
Governing Board of the St. Johns River Water Management District	
Appointees: Ann Taylor Moore	03/01/2009
David G. Graham	03/01/2009
Governing Board of the Southwest Florida Water Management District	
Appointees: Edward W. Chance	03/01/2009
Jennifer E. Closshey	03/01/2009
Governing Board of the Suwannee River Water Management District	
Appointees: John Paul Maultsby	03/01/2009
Louis C. Shiver	03/01/2009

The Committee on Regulated Industries recommends that the Senate confirm the following appointment made by the Governor:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Secretary of Business and Professional Regulation	
Appointee: Simone Marstiller	Pleasure of Governor

The Committee on Transportation recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment

Secretary of Transportation
Appointee: Denver J. Stutler, Jr.

*For Term
Ending*

Pleasure of Governor

[The appointments contained in the foregoing reports were referred to the Committee on Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Argenziano—

SB 2258—A bill to be entitled An act relating to governmental economy; expressing the legislative intent to revise laws relating to the activities of state agencies; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 2260—A bill to be entitled An act relating to governmental economy; expressing the legislative intent to revise laws relating to the activities of state agencies; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 2262—A bill to be entitled An act relating to governmental economy; expressing the legislative intent to revise laws relating to the activities of state agencies; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar.

By Senator Argenziano—

SB 2264—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.011, F.S.; deleting provisions consolidating the former state and county officers and employees' retirement system, the retirement system for school teachers, and the highway patrol pensions and pension trust fund; renumbering s. 121.181, F.S., relating to the effective date of the former Florida Retirement System; amending s. 121.021, F.S.; revising and providing definitions applicable to the Florida Retirement System; renumbering s. 121.1905, F.S., relating to the Division of Retirement within the Department of Management Services; creating s. 121.023, F.S.; consolidating specified retirement systems under the Florida Retirement System; providing for the assumption of liabilities and assets by the Florida Retirement System; renumbering s. 121.191, F.S., relating to a prohibition against special acts or general laws of local application which amend, alter, or contravene the provisions of a state-administered or state-supported retirement system; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Rich—

SB 2266—A bill to be entitled An act relating to child abuse; amending s. 827.03, F.S.; revising the definition of the term “child abuse” to include inappropriate or excessively harsh discipline of a child by a parent, legal custodian, or caregiver; providing a criminal penalty; defining the term “inappropriate or excessively harsh corporal discipline”; reenacting ss. 775.082(9)(a), 787.04(5), and 901.15(8), F.S., relating to mandatory minimum sentences for certain reoffenders previously released from prison, removing minors from the state or concealing minors contrary to state agency order or court order, and when arrest by an officer without a warrant is lawful, to incorporate the amendment to s. 827.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children and Families; Criminal Justice; and Justice Appropriations.

SR 2268—Not referenced.

By Senator Crist—

SB 2270—A bill to be entitled An act relating to the state judicial system; revising the maximum annual budget amount for the Clerk of the Circuit Court, Hillsborough County; providing retroactive applicability; providing an effective date.

—was referred to the Committees on Judiciary; Justice Appropriations; and Ways and Means.

SR 2272—Not referenced.

By Senator Crist—

SB 2274—A bill to be entitled An act relating to prostitution; amending s. 796.07, F.S.; providing for reclassification of penalties for certain violations committed within a specified distance of certain locations; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Justice Appropriations.

By Senator Atwater—

SB 2276—A bill to be entitled An act relating to employee leasing companies; amending s. 468.521, F.S.; revising the criteria for appointment of members of the Board of Employee Leasing Companies; amending s. 468.525, F.S.; requiring that an applicant for a renewal license as an employee leasing company have a specified net worth; deleting provisions that authorize alternative methods of determining net worth; requiring maintenance of net worth; deleting provisions authorizing certain companies to submit financial statements that are reviewed rather than audited by a certified public accountant; requiring that an employee leasing company provide written notice to leased employees under certain circumstances; amending s. 468.529, F.S.; requiring that an employee leasing company make certain information available to the Department of Financial Services; prescribing times for notices of termination; prescribing circumstances under which a person becomes a leased employee; amending s. 627.192, F.S.; requiring workers' compensation insurers providing coverage for employee leasing companies to provide certain information to the rating organization; requiring a report by the rating organization to the lessee; requiring workers' compensation coverage for leased employees; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Consumer Services; and Regulated Industries.

By Senator Argenziano—

SB 2278—A bill to be entitled An act relating to criminal justice; amending s. 921.0022, F.S.; ranking in the offense severity ranking chart of the Criminal Punishment Code several offenses relating to failure by a sexual predator or sexual offender to comply with certain reporting requirements; amending s. 943.04351, F.S.; requiring a search of the National Sex Offender Registry before a person may work or volunteer at a place where children regularly congregate; amending s. 948.063, F.S.; requiring that the court order electronic monitoring as a condition of probation or community control following a violation of probation or community control by certain offenders who are designated as sexual offenders or sexual predators; amending s. 948.30, F.S.; requiring that the court order mandatory electronic monitoring as a condition of probation or community control supervision for certain sex offenders whose crimes involved young children; amending s. 947.1405, F.S.; expanding the eligibility criteria for the conditional release program; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Justice Appropriations.

By Senator Argenziano—

SB 2280—A bill to be entitled An act relating to background screening requirements for school district contractors; amending s. 1012.465, F.S.; amending background screening requirements for certain noninstructional school district employees and contractors; adding noninstructional contractors to those who must meet the screening requirements; defining the term “noninstructional contractor”; creating s. 1012.467, F.S.; providing for the submission of fingerprints; requiring school districts to screen results of criminal records checks; requiring the cost of background screening requirements to be borne by certain parties; providing a cap on fees that may be charged; providing a list of violations that such persons must not have committed if they are to satisfy the screening requirements; providing sanctions for failure to meet requirements; providing grounds for contesting denial of access to school grounds; providing reporting requirements; providing that the failure to meet requirements is a misdemeanor of the first degree; allowing certain educational entities to share information derived from checks of criminal history records; authorizing the Department of Law Enforcement to adopt rules; providing immunity from civil or criminal liability; creating s. 1012.468, F.S.; specifying exemptions for contractors; providing criteria and conditions; providing that exempted contractors are subject to a search of certain databases that list sexual predators and sexual offenders; providing consequences of a failure to meet the screening requirements; prohibiting school districts from charging additional fees; allowing certain agencies to share information relating to fingerprinting and criminal history records checks; providing an effective date.

—was referred to the Committees on Criminal Justice; Education; Governmental Oversight and Productivity; and Education Appropriations.

By Senator Alexander—

SB 2282—A bill to be entitled An act relating to drug trafficking; amending s. 893.135, F.S.; providing for the aggregation of the weights of certain controlled substances in determining the punishment for a drug-trafficking offense; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Justice Appropriations.

By Senator Alexander—

SB 2284—A bill to be entitled An act relating to contributing to the delinquency of a child; amending s. 827.04, F.S.; providing that a person who induces or endeavors to induce a child to commit or perform any act that would be a misdemeanor if committed by an adult commits a misdemeanor of the first degree; providing that a person who induces or endeavors to induce a child to commit or perform any act that would be a felony if committed by an adult commits a felony of the third degree;

providing criminal penalties; amending ss. 39.201, 90.4025, 382.356, 409.2355, 742.107, and 921.0022, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Justice Appropriations.

By Senator Crist—

SB 2286—A bill to be entitled An act relating to exceptional student evaluation; amending s. 1003.57, F.S.; requiring consent by a parent before his or her child's evaluation for an emotional, behavioral, or mental disorder, a specific learning disability, or other health impairment; specifying the contents of a statement that must be signed by a parent; providing an effective date.

—was referred to the Committees on Education; and Health Care.

By Senator Wise—

SB 2288—A bill to be entitled An act relating to transitional services to young adults with disabilities; creating the Jacksonville Health and Transition Services Pilot Program; assigning the program for administrative purposes to Children's Medical Services in the Department of Health; providing purposes of the program; delineating the target population; describing participating service providers and the services that they are to provide; providing for the design and implementation of a comprehensive evaluation of the pilot program; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Care; Children and Families; Education; and Health and Human Services Appropriations.

By Senator Fasano—

SB 2290—A bill to be entitled An act relating to long-term care insurance; creating s. 627.94075, F.S.; requiring long-term care insurance policies to provide for policy incontestability after a certain time; providing an exception; amending s. 627.9403, F.S.; specifying that certain limited benefit policies are a type of long-term care insurance policy; deleting an exemption from a minimum time period coverage requirement for certain limited benefit policies; amending s. 627.9404, F.S.; revising certain definitions; amending s. 627.9407, F.S.; revising certain restrictions on long-term care insurance policies; providing additional rate structure requirements for long-term care insurance policies; amending s. 627.9408, F.S.; requiring the Financial Services Commission to adopt by rule a standardized core benefit plan required for long-term care insurers to offer insureds; providing rule criteria and requirements; amending s. 641.2018, F.S.; correcting a cross-reference; providing an appropriation; providing application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Care; and General Government Appropriations.

By Senator Fasano—

SB 2292—A bill to be entitled An act relating to public records; providing an exemption from public-records requirements for fingerprint identification information held by a state agency; defining the term "fingerprint identification information"; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Atwater—

SB 2294—A bill to be entitled An act relating to risk-based capital requirements for health maintenance organizations; creating s. 641.224, F.S.; providing definitions; requiring a health maintenance organization to file reports of its risk-based capital levels, beginning on a certain date; prohibiting certain uses of such reports; authorizing the Office of Insurance Regulation to use certain documents for certain purposes; providing requirements for determining risk-based capital; providing legislative findings; authorizing the office to adjust or revise risk-based capital reports under certain circumstances; requiring notice of any adjustments or revisions; providing for challenges to any adjustments or revisions; requiring certain health maintenance organizations to file copies of risk-based capital plans with the insurance department of certain states; providing criteria; providing criteria, requirements, and procedures for company action level events, regulatory action level events, authorized control level events, and mandatory control level events relating to levels of risk-based capital; providing duties and responsibilities of the office relating to such events; requiring a risk-based capital plan for certain purposes under certain circumstances; specifying plan requirements; authorizing the office to take certain corrective actions under certain circumstances; authorizing the office to retain professional assistance in undertaking certain activities relating to a health maintenance organization's levels of risk-based capital; authorizing the office to place a health maintenance organization under regulatory control under certain circumstances; providing for a right to a hearing before the office to challenge certain actions by the office; providing hearing requirements and procedures; specifying absence of liability of and prohibiting bringing certain causes of action against the Financial Services Commission, the Department of Financial Services, the office, and certain related personnel for certain activities; providing notification requirements for the office; providing construction; limiting application to certain health maintenance organizations; authorizing the commission to adopt rules; amending s. 641.31, F.S.; revising provisions authorizing health maintenance organizations to include point-of-service riders for point-of service benefits under health maintenance contracts to include preferred provider policies for preferred provider benefits through preferred provider networks; revising maximum premium limitations; providing reporting requirements; providing additional premium requirements and limitations relating to preferred provider policies; requiring certain health maintenance organizations to file a risk-based capital report with the office for informational purposes; providing a limitation; providing application; providing effective dates.

—was referred to the Committees on Banking and Insurance; Health Care; and Health and Human Services Appropriations.

By Senator Wise—

SB 2296—A bill to be entitled An act relating to driving and boating under the influence; amending s. 316.193, F.S.; providing for applicability of sanctions; requiring a specified period of imprisonment for a fourth or subsequent conviction of driving under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of all vehicles owned by the defendant for a specified period; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints and social security numbers; amending s. 327.35, F.S.; requiring a specified period of imprisonment for a fourth or subsequent conviction of boating under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of the vessel operated by or in the actual control of the defendant or any one vehicle registered in the defendant's name at the time of impoundment or immobilization for a specified period; providing for dismissal of an order of impoundment or immobilization under certain circumstances upon request of an owner who was not operating the vessel; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints and social security numbers; providing applicability; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; Judiciary; and Justice Appropriations.

By Senator Webster—

SB 2298—A bill to be entitled An act relating to legal actions; amending s. 48.081, F.S.; providing for service of process on the Secretary of State for certain corporations under certain circumstances; amending s. 48.193, F.S.; providing that entering into certain specified contracts subjects a person to the jurisdiction of the courts of this state; amending s. 55.502, F.S.; redefining the term “foreign judgment” under the Florida Enforcement of Foreign Judgments Act; amending s. 685.102, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; and Commerce and Consumer Services.

By Senator Webster—

SB 2300—A bill to be entitled An act relating to transportation; creating s. 339.282, F.S.; creating the Enhanced Bridge Program for Sustainable Transportation within the Department of Transportation; providing for the use of funds in the program; providing project guidelines for program funding; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Baker—

SB 2302—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; revising the retirement credit rate for members of the Regular Class of the system; providing legislative findings; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Baker—

SB 2304—A bill to be entitled An act relating to class action lawsuits; creating s. 774.01, F.S.; providing requirements for capacity to file a class action; limiting actions to Florida residents; providing exceptions; providing requirements for monetary relief; eliminating private class action recovery of statutory penalties and other forms of monetary relief other than actual damages; providing monetary relief; providing for availability of nonmonetary relief; providing no effect on class action lawsuits involving civil rights laws; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Atwater—

SB 2306—A bill to be entitled An act relating to public records and public meetings; creating s. 641.2241, F.S.; providing for confidentiality of certain documents and information of a health maintenance organization relating to risk-based capital; providing an exemption from certain disclosure requirements; exempting from certain public-meetings requirements certain hearings conducted by the Office of Insurance Regulation relating to a health maintenance organization’s risk-based capital reports and plans; providing hearing requirements; providing exceptions; providing for termination of the exemptions; providing for future review and repeal under the Open Government Sunset Review Act; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Banking and Insurance; Health Care; Governmental Oversight and Productivity; and Rules and Calendar.

By Senator Atwater—

SB 2308—A bill to be entitled An act relating to installment loans; creating s. 516.033, F.S.; authorizing a licensee under the Florida Consumer Finance Act to impose an acquisition charge and a handling charge for installment loans of a specified amount or less; providing certain limitations on the amount of the handling charge; requiring that a portion of the handling charge be refunded or credited to the borrower if the loan is prepaid in full; providing a method for calculating the refund; authorizing the licensee to impose a charge for delinquent payments and returned checks; limiting the number of installment loans made to the same borrower; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce and Consumer Services.

By Senators Wilson and Fasano—

SB 2310—A bill to be entitled An act relating to the Florida Statewide Advocacy Council; amending s. 402.164, F.S.; redefining the term a “client” to include a child, juvenile, or youth; redefining the term “client services” to include services that are provided to a client by a service provider licensed or regulated by the state; amending s. 402.165, F.S.; transferring the Florida Statewide Advocacy Council from the Executive Office of the Governor to the Department of Legal Affairs; providing for the appointment of members to the statewide council; providing criteria for appointment to the council; providing procedures by which the Attorney General may fill a vacancy on the statewide council; requiring the Attorney General to select an executive director for the statewide council; requiring the executive director to prepare a budget for submission to the Legislature; providing for notice for telephone conference calls; amending s. 402.166, F.S.; requiring that local councils operate within areas approved by the Attorney General; providing for the inclusion on the local council of persons who have experience in social services and law enforcement; providing procedures by which the Attorney General may fill vacancies on a local council; amending s. 402.167, F.S.; requiring each state agency providing client services to ensure that all contract providers, including subcontractors, are informed of the powers, duties, and responsibilities of the statewide and local councils; providing an effective date.

—was referred to the Committees on Children and Families; Judiciary; Governmental Oversight and Productivity; and Justice Appropriations.

By Senator Sebesta—

SB 2312—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; providing that a county may levy a discretionary sales surtax subject to approval by an affirmative vote of a majority of the total membership of its governing body or by a referendum; deleting provisions limiting such tax to charter counties and counties having a consolidated government; requiring a discretionary sales surtax that is to be adopted by referendum to be placed on the ballot at a time set at the discretion of the governing body of a county; requiring that the proceeds from a surtax be distributed to a county and to each municipality within the county according to an interlocal agreement or an apportionment factor; authorizing certain charter counties and county governments to follow various procedures in distributing a surtax; providing that the proceeds from the surtax be used for certain purposes as considered appropriate by the county commission; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Government Efficiency Appropriations; and Transportation and Economic Development Appropriations.

By Senator Miller—

SB 2314—A bill to be entitled An act relating to an accessory after the fact; amending s. 777.03, F.S.; providing that if a person maintains or assists the principal or accessory before the fact, or gives the offender any other aid, knowing that the offender had committed the offense of

leaving the scene of an automobile accident, or had been accessory before the fact, with the intent that the offender avoids or escapes detection, arrest, trial, or punishment, that person is an accessory after the fact unless the court finds that the person is a victim of domestic violence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Justice Appropriations.

By Senator Sebesta—

SB 2316—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for information contained in materials relating to rejected bids, negotiations, and proposals received by a state agency; requiring that the information remain confidential until the agency provides notice of a decision or withdraws its invitation to bid, invitation to negotiate, or request for proposals; providing for future legislative review and repeal of such exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; General Government Appropriations; and Rules and Calendar.

By Senator Baker—

SB 2318—A bill to be entitled An act relating to negligence; creating s. 768.0755, F.S.; providing that if a person slips and falls on a transitory foreign substance in a business establishment, the injured person must prove that the business establishment had knowledge of the condition in that the condition existed for a sufficient time for the business establishment to have taken action to remedy the condition; providing that constructive knowledge may be proven by circumstantial evidence; repealing s. 768.0710, F.S., relating to the duty to maintain premises in a reasonably safe condition for the safety of business invitees; providing an effective date.

—was referred to the Committees on Commerce and Consumer Services; and Judiciary.

By Senator Crist—

SB 2320—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; increasing the fees charged by the sheriff in civil cases for service of process; providing an exception for governmental agencies; amending s. 48.29, F.S.; providing that the examination for certification as a process server is mandatory; requiring that the examination be offered at least once each year; providing an effective date.

—was referred to the Committees on Judiciary; Justice Appropriations; and Ways and Means.

By Senator Crist—

SB 2322—A bill to be entitled An act relating to cybercrime; creating s. 16.61, F.S.; creating the Cybercrime Office in the Department of Legal Affairs; authorizing the office to investigate certain violations of state law pertaining to the sexual exploitation of children; providing that investigators employed by the office are law enforcement officers of the state; authorizing the Attorney General to carry out certain duties and responsibilities; requiring the Attorney General to provide notice of an arrest to the local sheriff; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Justice Appropriations; and Ways and Means.

By Senator Crist—

SB 2324—A bill to be entitled An act relating to notice of advance directive; amending s. 322.01, F.S.; defining “advance directive” for purposes of the administration of driver’s licenses and identification cards; amending s. 322.051, F.S.; requiring that the application for an identification card include the option for the applicant to request that the existence of an advance directive be noted on the identification card; providing for such notation to be marked on original and duplicate cards issued by the Department of Highway Safety and Motor Vehicles; providing for issuance of a sticker to be placed on the card by the cardholder to indicate the existence of an advance directive; providing for a fee; amending s. 322.08, F.S.; requiring that the application for a driver’s license include the option for the applicant to request that the existence of an advance directive be noted on the driver’s license; amending s. 322.141, F.S.; requiring that driver’s licenses or identification cards issued or reissued by the department be prominently marked with the words “Advance Directive” when such notation is requested; amending s. 322.17, F.S.; providing for reissuance of driver licenses to add notation of an advance directive; providing for issuance of a sticker in lieu of a replacement license to note the existence of an advance directive; providing for a fee; amending s. 322.18, F.S.; conforming a cross-reference; requiring that the application form for an original or renewal issuance of a driver’s license or a license extension include the option to request notation of the existence of an advance directive; providing that licenses issued or reissued by the department be marked with “Advance Directive”; providing that the department issue a sticker with a license extension; providing an effective date.

—was referred to the Committees on Transportation; Health Care; and Transportation and Economic Development Appropriations.

By Senator Baker—

SB 2326—A bill to be entitled An act relating to career education; creating the “SUCCEED, FLORIDA! Initiative”; amending s. 1007.23, F.S.; replacing the phrase “workforce development” with the phrase “workforce education”; requiring the Department of Education annually to identify workforce education courses and programs for statewide articulation and to propose an articulation agreement; amending s. 1009.50, F.S.; providing for students who are enrolled in certain postsecondary career certificate programs to qualify for the Florida Public Student Assistance Grant Program; creating s. 1009.521, F.S.; creating the GED Success Scholarship Program; prescribing the amount of a scholarship; providing procedures; providing requirements for eligibility; requiring reports to the department; requiring a financial audit of each institution’s administration of the program; authorizing the State Board of Education to adopt rules; creating s. 1011.802, F.S.; creating the School District Career Center Facility Enhancement Challenge Grant Program; providing legislative intent and findings; providing purposes of the program; providing for direct-support organizations to solicit private funds; providing for state matching funds; requiring the establishment of a separate career center capital facilities matching account; prohibiting the use of certain funding sources to provide state matching funds; providing criteria for a school district’s eligibility to participate in the program; providing for the disposition of private donations if a project is terminated; requiring the State Board of Education annually to submit to the Legislature a list of eligible projects and a budget request that includes the recommended completion schedule for each project; providing prerequisites for eligibility; providing for the disposition of unexpended project funds; providing that certain elements of the project are the property of the school district; allowing a facility to be named for a donor; creating pt. VI of ch. 1011, F.S., consisting of ss. 1011.96, 1011.97, and 1011.98, F.S.; creating the SUCCEED, FLORIDA! Crucial Professionals Program; providing purposes; requiring the department to issue requests for proposals and to establish application procedures, guidelines, accountability measures, and timelines; providing requirements for the contents of a grant proposal; providing requirements for participants; requiring grant recipients to report to the department; requiring the State Board of Education to monitor compliance with the accountability requirements; creating the SUCCEED, FLORIDA! Career Paths Program; providing purposes; providing application procedures; requiring that curriculum and content developed in a career and professional academy be made available to all school districts; creating the SUCCEED, FLORIDA! Critical Jobs Program; providing purposes; providing criteria for distributing funds; requiring the department to

issue requests for proposals and to establish application procedures, guidelines, accountability measures, and timelines; providing requirements for the contents of a grant proposal; requiring the department to review the proposals and determine the funding to be provided and to prioritize recipients as specified; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; Governmental Oversight and Productivity; and Education Appropriations.

By Senator Atwater—

SB 2328—A bill to be entitled An act relating to the Special Risk Class of the Florida Retirement System; amending s. 121.0515, F.S.; authorizing certain employees to purchase additional retirement credit for past service at a 3-percent Special Risk Class accrual value; providing for contribution rate increases to fund certain benefits; directing the Division of Statutory Revision to adjust certain contribution rates; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Productivity; Community Affairs; and Ways and Means.

By Senator Fasano—

SB 2330—A bill to be entitled An act relating to the Pinellas County Tourist Development Council, Pinellas County; amending chapter 2001-307, Laws of Florida; revising the membership of the council; providing the effective date for such changes in council membership; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

By Senator Dockery—

SB 2332—A bill to be entitled An act relating to gross receipts taxes on manufacturing; amending s. 203.01, F.S.; providing a tax exemption for electricity sold to manufacturers, after a specified amount in tax has been paid in a calendar year, to the extent that the tax savings are invested in energy conservation measures as specified; providing for calculation of the exemption; defining terms; providing that the exemption is available by refund; authorizing the Department of Revenue to adopt rules relating to the refund procedures; requiring that such refunds be paid from general revenue; providing for retroactivity; providing for future repeal; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation; Government Efficiency Appropriations; and Ways and Means.

By Senator Baker—

SB 2334—A bill to be entitled An act relating to the use of public buildings and grounds; amending s. 1013.10, F.S.; requiring school boards to permit certain chartered or recognized youth organizations to use educational facilities; creating s. 255.044, F.S.; requiring state, county, municipal, or local governmental entities and certain nongovernmental entities to permit such youth organizations to use public facilities in their control; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Oversight and Productivity; Education; and Judiciary.

By Senator Baker—

SB 2336—A bill to be entitled An act relating to traffic infractions; amending s. 318.14, F.S.; providing exceptions to procedures for certain

speed-limit violations; removing the option for certain offenders to attend driver improvement school; amending s. 318.18, F.S.; providing increased penalties for certain speed-limit violations; amending s. 318.19, F.S.; requiring mandatory hearings for certain speed-limit violations; amending s. 322.27, F.S.; providing for an increase in driver points for certain speed-limit violations; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

SB 2338—Withdrawn prior to introduction.

By Senator Crist—

SB 2340—A bill to be entitled An act relating to trust funds; creating s. 20.3151, F.S.; creating the Administrative Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

By Senator Crist—

SB 2342—A bill to be entitled An act relating to trust funds; creating s. 945.21503, F.S.; creating the Federal Grants Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

By Senator Crist—

SB 2344—A bill to be entitled An act relating to trust funds; creating s. 943.367, F.S.; creating the Administrative Trust Fund within the Department of Law Enforcement; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

By Senator Crist—

SB 2346—A bill to be entitled An act relating to trust funds; creating s. 943.366, F.S.; creating the Federal Grants Trust Fund within the Department of Law Enforcement; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

By Senator Crist—

SB 2348—A bill to be entitled An act relating to trust funds; creating s. 25.3844, F.S.; creating the Operating Trust Fund within the state courts system; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

By Senator Crist—

SB 2350—A bill to be entitled An act relating to trust funds; creating s. 25.3842, F.S.; creating the Federal Grants Trust Fund within the state courts system; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on Justice Appropriations.

SR 2352—Not referenced.

By Senator Wilson—

SB 2354—A bill to be entitled An act relating to Medicaid; amending s. 3 of chapter 2005-133, Laws of Florida; revising certain requirements of an evaluation being conducted by the Office of Program Policy Analysis and Government Accountability of the health care services provided for Medicaid recipients under a managed care model; requiring that the evaluation include assessments of culturally competent quality of care by each eligibility category and managed care plan in the pilot area sites; providing an effective date.

—was referred to the Committees on Health Care; and Health and Human Services Appropriations.

By Senator Baker—

SB 2356—A bill to be entitled An act relating to controlled substances; amending s. 39.301, F.S.; requiring the Department of Children and Family Services to file a petition for dependency for the children of parents involved in certain controlled substance crimes; amending s. 893.02, F.S.; defining the term “clandestine laboratory”; amending s. 893.13, F.S.; revising provisions relating to criminal penalties for controlled substance violations that result in serious injury to specified individuals; creating s. 627.4107, F.S.; prohibiting refusal to insure or cancellation of life or health insurance policies or certificates of specified local, state, or federal employees due to exposure to toxic chemicals or due to disease or injury incurred in their duties related to controlled substance law violations committed by others; providing penalties; amending s. 907.041, F.S.; revising a definition; revising provisions relating to pretrial release of certain defendants charged with certain controlled substance offenses; amending ss. 465.016, 465.023, 856.015, 893.135, 944.47, 951.22, and 985.4046, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Judiciary; Criminal Justice; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Bennett—

SB 2358—A bill to be entitled An act relating to homeowners’ associations; amending s. 720.303, F.S.; revising the powers and duties of homeowners’ associations; requiring certain associations to be incorporated in this state; removing a provision authorizing associations to operate more than one community; prohibiting officers and directors from taking any action that is inconsistent with the declaration of covenants; authorizing associations to settle actions on appeal; revising procedures relating to legal actions commenced by the association; lowering the dollar amount for which the association must obtain approval by the members of the association before proceeding with the legal action; authorizing the association to enter into certain contracts; removing provisions authorizing an association to have more than one class of members and to issue membership certificates; prohibiting certain association defenses; prohibiting associations from restricting a member’s freedom of association and from limiting the number of guests a member may have within a 24-hour period; providing that officers and directors of an association may be personally liable for damages under certain circumstances; providing compensation for certain members under certain circumstances; providing criteria for establishing setback limits; prohibiting the association

from denying or refusing to approve a member’s plans for building on the member’s property under certain circumstances; requiring the budget to provide for annual operating expenses; requiring the budget to include reserve accounts for capital expenditures and deferred maintenance; providing the amount to be reserved; authorizing the association to adjust replacement reserve assessments annually; authorizing the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revising provisions relating to financial reporting; revising time periods in which the association must complete its reporting; amending s. 720.307, F.S.; requiring developers to deliver financial records to the board; requiring certain information to be included in the records and for the records to be prepared in a specified manner; amending s. 720.308, F.S.; providing that a guarantee of common expenses shall be effective under certain circumstances; requiring the guarantee to meet certain requirements; authorizing the guarantee to provide certain requirements; requiring the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; providing payments required from the guarantor to be determined in a certain manner; providing a formula to determine the guarantor’s total financial obligation to the association; providing that certain expenses incurred in the production of certain revenues shall not be included in the common expenses; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Atwater—

SB 2360—A bill to be entitled An act relating to child abuse; amending ss. 39.001 and 39.201, F.S.; requiring all Department of Children and Family Services employees and persons in specified occupation categories assigned to report, manage, or supervise cases of child abuse, abandonment, and neglect to annually complete a continuing education course; providing an effective date.

—was referred to the Committees on Children and Families; and Health and Human Services Appropriations.

SR 2362—Not referenced.

By Senator Baker—

SB 2364—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; deleting a definition and defining the term “taxing authority” for purposes of part III of ch. 163, F.S., relating to community redevelopment; amending s. 163.346, F.S.; requiring a governing body to provide public notice before it establishes a study area; creating s. 163.354, F.S.; authorizing a governing body to adopt a resolution that establishes a slum and blight study area; amending s. 163.360, F.S.; requiring additional procedures before a governing body adopts a community redevelopment plan; providing for dispute resolution; amending s. 163.361, F.S.; requiring additional procedures before a governing body adopts a modification to a community redevelopment plan; providing for dispute resolution; amending s. 163.387, F.S.; providing limitations on the amount of tax increment revenue contributed by a taxing authority in the funding of a redevelopment trust fund; authorizing any other taxing authority and the governing body to enact an agreement for an alternative method of determining the amount and times of payment of tax increment revenue contributed to a redevelopment trust fund; amending s. 163.410, F.S.; requiring a governing body of a county to approve or deny a request for delegation of powers by a municipality; requiring a request for additional documentation to be in writing; providing an effective date.

—was referred to the Committees on Community Affairs; and Government Efficiency Appropriations.

By Senator Argenziano—

SB 2366—A bill to be entitled An act relating to public records; amending s. 55.01, F.S.; requiring that a person’s date of birth rather

than social security number be included on a final judgment; amending s. 119.071, F.S.; providing that if confidential and exempt information is or has been included in a court file or in a document filed as an official record, the information may be included as part of the court record or official record available for public inspection and copying unless redaction is requested by specified individuals; requiring the individual requesting redaction to designate the statutory citation making the information confidential and exempt; requiring that, after a specified date, a person who files a document with the clerk of the court must redact any information the person deems confidential and exempt by state or federal law before filing the document with the clerk of the court; requiring the person to replace the redacted information with a unique number cross-referenced to a separate reference sheet of confidential information; requesting the Supreme Court to revise existing forms and to adopt a standardized reference sheet of confidential information for use in documents having information made confidential and exempt from inspection; providing procedures to be used when a person files a confidential document taken from one court file in order to place the document in another court file; requiring the clerk of the court to give notice by a specified date of the changes to the procedures for filing information that is confidential and exempt from inspection; requiring the clerk to place the notice on the Internet and to publish the notice in the newspaper; providing the contents of the notice; reenacting s. 1007.35(8)(b), F.S., relating to access to information necessary to evaluate the effectiveness of delivered services from the Florida Partnership for Minority and Underrepresented Student Achievement, to incorporate the amendments made to s. 119.071, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Justice Appropriations; and Rules and Calendar.

SB 2368—Withdrawn prior to introduction

Senate Resolutions 2370-2374—Not referenced.

By Senator Rich—

SB 2376—A bill to be entitled An act relating to early learning; establishing the Early Learning Quality Incentives Task Force to be administratively housed in the Agency for Workforce Innovation; providing duties and membership; requiring recommendations to the Governor and Legislature; providing for termination of the task force; requiring the Department of Children and Family Services, in cooperation with the Agency for Workforce Innovation, to contract for a study relating to the administration and regulation of child care services; requiring submission of findings to the task force for purposes of its final recommendations; providing an effective date.

—was referred to the Committees on Education; Commerce and Consumer Services; Children and Families; and Transportation and Economic Development Appropriations.

By Senator Geller—

SB 2378—A bill to be entitled An act relating to the classification of property; amending s. 193.461, F.S.; revising provisions governing the classification of land as agricultural for the purpose of tax assessment; providing that construction of a dwelling on part of lands used for agricultural purposes does not in itself preclude agricultural classification; prohibiting agricultural classification of land diverted to nonagricultural use as evidenced by issuance of a local building permit for a nonagricultural facility on platted land; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Government Efficiency Appropriations; and Ways and Means.

By Senator Carlton—

SB 2380—A bill to be entitled An act relating to school district funding; amending s. 1013.64, F.S.; increasing the amount that a district school board may spend for new construction of educational plant space; amending s. 1003.03, F.S.; revising the requirements for calculating the number of students per classroom for the 2006-2007 fiscal year; providing an effective date.

—was referred to the Committees on Education; Education Appropriations; and Ways and Means.

By Senator Dockery—

SB 2382—A bill to be entitled An act relating to the local government infrastructure surtax; amending s. 212.055, F.S.; limiting use of surtax revenues for infrastructure purposes; authorizing a portion of surtax revenues to be used for property tax reduction under certain circumstances; authorizing use of a portion of surtax revenues for operating expenses under certain circumstances; providing limitations; providing an effective date.

—was referred to the Committees on Community Affairs; Education; Government Efficiency Appropriations; and Ways and Means.

By Senator Dockery—

SB 2384—A bill to be entitled An act relating to the Department of State; amending s. 15.09, F.S.; providing for deposit of certain reinstatement fees, late fees, and penalties collected by the Division of Corporations of the Department of State into the Florida Fine Arts Trust Fund rather than the General Revenue Fund; providing for disbursement of such revenues to fund cultural and historical preservation grants and programs; amending s. 265.606, F.S.; deleting a requirement for local sponsoring organizations to submit an annual postaudit to the Division of Cultural Affairs under certain circumstances; providing for the reversion of the state's matching share of cultural endowment to the Florida Fine Arts Trust Fund rather than the General Revenue Fund under certain circumstances; providing for distribution of reverted funds; amending s. 267.174, F.S.; changing the dates for the first meeting of the Discovery of Florida Quincentennial Commemoration Commission, the completion of the initial draft of a specified master plan, and the submission of the completed master plan; providing an effective date.

—was referred to the Committees on Community Affairs; Government Efficiency Appropriations; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Wilson—

SB 2386—A bill to be entitled An act relating to alternative power supplies for retail gasoline stations; creating s. 526.155, F.S.; requiring that each retail gasoline station be equipped with an alternative generator power source in order that the station may operate its fuel pumping system during a power outage caused by a major disaster; requiring that the alternative generator system be installed by an electrician licensed in this state; providing that the act applies to all self-service and full-service retail gasoline stations; providing exceptions; requiring the Division of Emergency Management in the Department of Community Affairs to produce by a certain date an inventory of the locations of power generators capable of use during a major disaster; requiring the division to implement a program to lease power generators following a major disaster to ensure that retail gasoline stations have an alternative generator power source to supply gasoline to the retail public until the electrical transmission system is restored; authorizing the division to adopt rules to administer the generator-leasing program; preempting to the state the regulation, siting, and placement of alternate power source capabilities and equipment at a motor fuel terminal facility, wholesaler, or retail sales outlet; providing an effective date.

—was referred to the Committees on Domestic Security; Commerce and Consumer Services; Community Affairs; and Transportation and Economic Development Appropriations.

By Senator Webster—

SJR 2388—A joint resolution proposing an amendment to the State Constitution.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SJR 2390—A joint resolution proposing an amendment to the State Constitution.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2392—A bill to be entitled An act relating to the State Constitution; expressing the legislative intent to enact laws relating to the State Constitution; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2394—A bill to be entitled An act relating to the state courts system; expressing the legislative intent to enact laws relating to the state courts system; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2396—A bill to be entitled An act relating to the judiciary; expressing the legislative intent to enact laws relating to the judiciary; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2398—A bill to be entitled An act relating to litigation; expressing the legislative intent to enact laws relating to litigation; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Justice Appropriations; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2400—A bill to be entitled An act relating to individual rights; expressing the legislative intent to enact laws relating to the rights of individuals; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2402—A bill to be entitled An act relating to public records; expressing the legislative intent to enact laws relating to access to public records; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2404—A bill to be entitled An act relating to eminent domain; expressing the legislative intent to enact laws relating to eminent domain; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2406—A bill to be entitled An act relating to trust funds; creating s. 220.7015, F.S.; creating the Corporate Income Tax Trust Fund within the Department of Revenue; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committees on Judiciary; Education; and Education Appropriations.

By Senator Lawson—

SB 2408—A bill to be entitled An act relating to local housing assistance; amending s. 420.9075, F.S.; providing down payment assistance to essential service and skilled building trades personnel; providing criteria for such assistance; requiring compliance with the eligibility criteria to be verified by the county or eligible municipality; providing that the program shall provide down payment assistance in an amount to be determined by rule; providing that liens on the recipient's property securing the assistance shall be released under certain conditions; encouraging counties and municipalities to develop an element within their local housing assistance plans emphasizing the recruitment and retention of such personnel; authorizing the Florida Housing Finance Corporation to allocate certain funds; providing the corporation with rulemaking authority; amending ss. 420.9072 and 420.9079, F.S.; conforming cross-references to changes made by the act; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Transportation and Economic Development Appropriations; and Ways and Means.

By Senator Atwater—

SB 2410—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; including in the exemption for items in agricultural use certain agricultural or farm equipment used for low-volume or micro-irrigation; deleting an exemption from the tax provided for generators used on poultry farms and for liquefied petroleum gas or other fuel used to heat a structure used for pullets or broilers; amending s. 212.02, F.S.; providing a definition for low-volume or micro-irrigation; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation; Government Efficiency Appropriations; and Ways and Means.

By Senator Haridopolos—

SB 2412—A bill to be entitled An act relating to the Division of Alcoholic Beverages and Tobacco; amending s. 20.165, F.S.; requiring each employee serving as a law enforcement officer for the division to meet the qualifications of a law enforcement officer set forth in ch. 943, F.S., for employment or appointment; requiring each such employee to be certified as a law enforcement officer by the Department of Law Enforcement; specifying the primary responsibility for law enforcement officers of the division; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; and General Government Appropriations.

By Senator Margolis—

SB 2414—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring district school board plans to eliminate the sale or use of products containing high-fructose corn syrup from school food service programs and on school grounds; requiring Department of Education approval of plans, monitoring of plan implementation, and reporting; providing an effective date.

—was referred to the Committees on Education; Health Care; and Education Appropriations.

By Senator Webster—

SB 2416—A bill to be entitled An act relating to the Joint Rules of the Legislature; expressing the legislative intent to revise the Joint Rules of the Legislature relating to a Joint Claims Committee; providing an effective date.

—was referred to the Committees on Judiciary; Ways and Means; and Rules and Calendar.

By Senator Webster—

SB 2418—A bill to be entitled An act relating to a Joint Claims Committee; expressing the legislative intent to enact laws relating to a Joint Claims Committee; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Webster—

SJR 2420—A joint resolution proposing an amendment to the State Constitution.

—was referred to the Committees on Judiciary; Governmental Oversight and Productivity; Ways and Means; and Rules and Calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Education Appropriations; and Senators Fasano and Lynn—

CS for SB 122—A bill to be entitled An act relating to tuition waivers; amending s. 1009.26, F.S.; requiring state universities and community colleges to waive tuition for a recipient of a Purple Heart or other combat decoration superior in precedence who fulfills specified criteria; providing a percentage cap on the number of required credit hours for which a tuition waiver may be received; providing an effective date.

By the Committee on Criminal Justice; and Senators Fasano, Baker and Lynn—

CS for SB 232—A bill to be entitled An act relating to lawful testing for alcohol, chemical substances, or controlled substances; amending s. 316.1932, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 316.1939, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; amending s. 327.352, F.S.; revising provisions to notify a person that refusal to submit to a lawful test of the person's breath, urine, or blood is a misdemeanor, to conform to changes made by the act; limiting information to be made available to a person tested to determine the amount of alcohol in the person's blood or breath or the presence of chemical substances or controlled substances; amending s. 327.359, F.S.; removing prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test of breath, urine, or blood; providing an effective date.

By the Committee on Criminal Justice; and Senators Baker, Smith, Posey, Crist and Bennett—

CS for SB 276—A bill to be entitled An act relating to vehicle crashes; creating the "Justin McWilliams 'Justice For Justin' Act"; amending s. 316.027, F.S.; requiring the driver of a vehicle involved in a crash occurring on public or private property that results in injury of a person to immediately stop the vehicle and remain at the scene; providing that failure to stop the vehicle and remain at the scene by the driver of a vehicle involved in a crash occurring on public or private property which results in the death of a person is a first-degree felony; providing penalties; amending s. 316.006, F.S.; authorizing the board of directors of a homeowners' association to provide for local law enforcement agencies to enforce state traffic laws on private roads that are controlled by the association; amending s. 921.0022, F.S.; revising felony classification in the Criminal Punishment Code offense severity ranking chart for specified violations; providing an effective date.

By the Committee on Criminal Justice; and Senator Baker—

CS for SB 410—A bill to be entitled An act relating to employment requirements for law enforcement personnel; amending s. 943.13, F.S.; revising the presumption of disability for certain law enforcement, correctional, and correctional probation officers; amending s. 943.137, F.S.; authorizing the establishment of tobacco-use standards; providing an effective date.

By the Committee on Judiciary; and Senator Saunders—

CS for SB 472—A bill to be entitled An act relating to guardianship; amending s. 744.102, F.S.; defining the terms "audit" and "surrogate guardian"; amending s. 744.1083, F.S.; authorizing revocation or suspension of a guardian's registration; providing that the Statewide Public Guardianship Office need not review credit and criminal investigations from a college or university before registering the institution as a professional guardian; amending s. 744.301, F.S.; providing that in the event of death, the surviving parent is the sole natural guardian of a minor; prohibiting a natural guardian from using the property of the ward for the guardian's benefit without a court order; creating s. 744.3025, F.S.; authorizing a court to appoint a guardian ad litem to represent a minor's interest in certain claims that exceed a specified amount; requiring a court to appoint a guardian ad litem to represent a minor's interest in certain claims that exceed a specified amount; providing that a court need not appoint a guardian ad litem under certain circumstances; requiring a court to award reasonable fees and costs to the guardian ad litem; amending s. 744.3031, F.S.; increasing the time an emergency temporary guardian may serve to 90 days; authorizing an extension; requiring an emergency temporary guardian to file a final report; providing for the contents of the final report; amending s. 744.304, F.S.; specifying the persons who may file a petition for a standby guardian; requir-

ing that notice of the appointment hearing be served on the ward's next of kin; clarifying when a standby guardian may assume the duties of guardian; requiring that each standby guardian submit to credit and criminal background checks; amending s. 744.3115, F.S.; providing a cross-reference; amending s. 744.3145, F.S.; reducing the time in which a guardian must complete the education courses from 1 year to 4 months; amending s. 744.3215, F.S.; providing that an incapacitated person retains the right to receive necessary services and rehabilitation necessary to maximize the quality of the person's life; amending s. 744.331, F.S.; requiring that the court appoint an attorney from a specified registry; requiring attorneys to complete certain training programs; providing that a member of the examining committee may not be related to or associated with certain persons; prohibiting a person who served on an examining committee from being appointed as the guardian; requiring each member of an examining committee to file an affidavit stating that he or she has completed the mandatory training; providing for training programs; requiring each member to file a report regarding his or her examination of an alleged incapacitated person; providing for an award of attorney's fees; amending s. 744.341, F.S.; requiring the voluntary guardian to include certain information in the annual report; requiring that certain specified information be included in the notice to terminate a voluntary guardianship; amending s. 744.361, F.S.; requiring a professional guardian to ensure that each of his or her wards is personally visited at least quarterly; providing for the assessment of certain conditions during the personal visit; amending s. 744.365, F.S.; requiring that the verified inventory include information on any trust to which a ward is a beneficiary; amending s. 744.367, F.S.; requiring that the annual report of the guardian be filed on or before April 1 of each year; amending s. 744.3675, F.S.; requiring that the annual guardianship plan include information on the mental condition of the ward; providing for an annual guardianship plan for wards who are minors; amending s. 744.3678, F.S.; providing that property of or a trust benefiting the ward which is not under the control of the guardian is not subject to annual accounting; requiring certain documentation for the annual accounting; amending s. 744.3679, F.S.; removing a provision prohibiting the clerk of court from having responsibility for monitoring or auditing accounts in certain cases; amending s. 744.368, F.S.; requiring that the verified inventory and the accountings be audited within a specified time period; amending s. 744.441, F.S.; providing that a guardian, with the approval of the court, may amend a revocable trust of the property of the ward; creating s. 744.442, F.S.; providing that a guardian may designate a surrogate guardian to exercise the powers of the guardian if the guardian is unavailable to act; requiring the surrogate guardian to be a professional guardian; providing the procedures to be used in appointing a surrogate guardian; providing the duties of a surrogate guardian; requiring the guardian to be liable for the acts of the surrogate guardian; authorizing the guardian to terminate the services of the surrogate guardian by filing a written notice of the termination with the court; amending s. 744.464, F.S.; removing the state attorney from the list of persons to be served a notice of a hearing on restoration of capacity; removing a time limitation on the filing of a suggestion of capacity; amending s. 744.474, F.S.; revising the circumstances under which a guardian may be removed; providing a rebuttable presumption that certain relatives act in the best interests of the ward; amending s. 744.511, F.S.; providing that a ward who is a minor need not be served with the final report of a removed guardian; amending s. 744.527, F.S.; providing that final reports for a deceased ward be filed at a specified time; amending s. 744.528, F.S.; providing for a notice of the hearing for objections to a report filed by a guardian; amending s. 744.708, F.S.; requiring a public guardian to ensure that each of his or her wards is personally visited at least quarterly; providing for the assessment of certain conditions during the personal visit; amending s. 765.101, F.S.; redefining the term "health care decision" to include informed consent for mental health treatment services; amending ss. 121.091, 121.4501, 709.08, and 744.1085, F.S.; conforming cross-references; reenacting s. 117.107(4), F.S., relating to prohibited acts of a notary public, to incorporate the amendment made to s. 744.3215, F.S., in a reference thereto; providing an effective date.

By the Committee on Domestic Security; and Senators Geller, Atwater, Diaz de la Portilla, Campbell, Bullard and Klein—

CS for SB's 528, 530 and 858—A bill to be entitled An act relating to emergency management; creating s. 526.143, F.S.; requiring motor fuel terminal facilities, wholesalers, new or substantially renovated motor fuel retail outlets, and other motor fuel retail outlets meeting

specified criteria for size and location to be capable of operating with alternate generated power; providing requirements for the installation of such equipment; requiring that such businesses maintain documentation of compliance; providing exemptions; creating the Florida Disaster Motor Fuel Supplier Program within the Department of Community Affairs; providing for motor fuel retail outlets to participate in a network of emergency responders; prescribing duties of county emergency management agencies and the Division of Emergency Management; prescribing requirements to participate in the program; providing for security at participating outlets; exempting participating outlets from curfew requirements; providing a state tax credit for equipment and installation costs to motor fuel retail outlets participating in the program; preempting regulation of alternate power sources at motor fuel terminal facilities, wholesalers, and motor fuel retail outlets to the state; requiring the Division of Emergency Management to complete an inventory of generators owned by the state and local governments; authorizing the division to maintain a list of private entities offering generators for sale or lease and make that list available to the public; requiring that the Energy Office of the Department of Environmental Protection review the progress in postdisaster fuel supply distribution and provide a report to the Legislature; providing for severability; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 562—A bill to be entitled An act relating to state liens on the proceeds of sale of certain literary accounts and the profits of sale of certain memorabilia; amending s. 944.512, F.S.; defining terms concerning the sale of literary accounts and memorabilia by and on behalf of a convicted felon; providing for a lien in favor of the state on the proceeds or profits of the sale of literary accounts, materials, and memorabilia payable to or accruing to a convicted felon, a representative of the convicted felon, or a profiteer of the felony; providing for the distribution of the proceeds or profits of the sale of literary accounts or memorabilia; clarifying that the lien provisions apply to convictions in circuit court; amending s. 960.291, F.S.; revising definitions with respect to civil restitution liens to conform to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Miller—

CS for SB 642—A bill to be entitled An act relating to the Lead Poisoning Prevention Screening and Education Act; providing a short title; providing legislative findings; providing definitions; providing for the establishment of a statewide comprehensive educational program on lead poisoning prevention; providing for a public information initiative; providing for distribution of literature about childhood lead poisoning; requiring the establishment of a screening program for early identification of persons at risk of elevated levels of lead in the blood; providing for screening of children; providing for prioritization of screening; providing for the maintenance of records of screenings; providing for reporting of cases of lead poisoning; providing an appropriation; providing contingencies for implementing the educational program under the act; providing effective dates.

By the Committee on Judiciary; and Senator Campbell—

CS for SB 648—A bill to be entitled An act relating to nonjudicial sale of vessels; amending s. 328.17, F.S.; revising notice requirements of a marina having a possessory lien on a vessel for unpaid costs, charges, or fees prior to nonjudicial sale of the vessel; reducing the time allowed to pay the fees, charges, and costs giving rise to the lien prior to sale of the vessel; revising requirements with respect to perfection of and priority over prior or other liens; providing an effective date.

By the Committee on Domestic Security; and Senator Bullard—

CS for SB 678—A bill to be entitled An act relating to the use of state facilities as emergency shelters; amending s. 252.385, F.S.; providing for use of certain state facilities as emergency shelters; directing the Department of Management Services to list state-owned facilities that are suitable for use as emergency shelters; providing an effective date.

By the Committee on Banking and Insurance; and Senator Bennett—

CS for SB 686—A bill to be entitled An act relating to educational loan marketing; creating s. 1009.9997, F.S.; creating the Educational Loan Marketing Corporation of Florida, Inc., to provide services as a secondary student loan market; requiring compliance with not-for-profit corporation requirements and public-records and public-meetings requirements; authorizing the corporation to borrow through public bonds and private financial sources; providing uses of proceeds of the corporation; providing for a board of directors and specifying membership; providing for powers and duties of the board of directors; requiring the corporation to submit a business plan to the Department of Education; providing accounting and audit requirements; requiring revenues of the corporation to be used for providing secondary student loan market services; prohibiting state indebtedness or obligation; exempting bonds issued by the corporation, their transfer, and the income therefrom from taxation; providing intent and requirements relating to costs; requiring budget approval by the department; requiring an annual report to the Legislature and the Department of Education; providing an effective date.

By the Committee on Judiciary; and Senators Wise, Haridopolos, Dockery, Alexander, Bennett, Fasano, Atwater, Baker and Posey—

CS for SB 746—A bill to be entitled An act relating to certificates of birth and death; amending s. 382.002, F.S.; providing definitions; amending s. 382.008, F.S.; authorizing the local registrar of the Office of Vital Statistics of the Department of Health to receive electronically the certificate of death or fetal death which is required to be filed with the local registrar; creating s. 382.0085, F.S.; requiring the Department of Health to issue a certificate of birth resulting in stillbirth upon request of specified parent; requiring that the person required to file the fetal death certificate advise a parent of a stillborn child about the availability of a certificate of birth resulting in stillbirth; requiring that the person required to file the fetal death certificate inform a parent of a stillborn child that copies of the birth certificate resulting in stillbirth may be available as a public record; requiring the use of a form prescribed by the Department of Health and the provision of specified information to request a certificate of birth resulting in stillbirth; providing requirements for the certificate of birth resulting in stillbirth; designating the certificate of birth resulting in stillbirth as a public record; authorizing a parent to request a certificate of birth resulting in stillbirth without regard to the date on which the certificate of fetal death was issued; designating the refusal to issue a certificate of birth resulting in stillbirth to certain persons as final agency action that is not subject to administrative review; prohibiting the use of certificates of birth resulting in stillbirth to calculate live birth statistics; prohibiting provisions from being used in certain civil actions; authorizing rulemaking by the Department of Health for the certificate of birth resulting in stillbirth; amending s. 382.013, F.S.; authorizing the local registrar of the Office of Vital Statistics of the Department of Health to receive electronically the birth certificate for each live birth that is required to be filed with the local registrar; amending s. 382.0255, F.S.; authorizing the Department of Health to collect fees for a certificate of birth resulting in stillbirth; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

CS for SB 840—A bill to be entitled An act relating to the school readiness equity allocation formula; amending s. 411.01, F.S.; requiring the Agency for Workforce Innovation to recommend a formula to allocate funds; providing for changes in the allocation of funds to be specified in the General Appropriations Act; eliminating approval of the allocation formula by the Legislative Budget Commission; eliminating an obsolete provision; providing an effective date.

By the Committee on Domestic Security; and Senator Diaz de la Portilla—

CS for SB 860—A bill to be entitled An act relating to emergency preparedness; creating s. 399.036, F.S.; requiring an owner, managing entity, or operator of a specified residential multifamily dwelling to have

at least one public elevator that is capable of operating on an alternate generated power source following certain disasters and emergencies; requiring that the alternate generated power source be capable of powering a connected fire alarm system; requiring elevators to be prewired to accept alternate generated power; requiring the alternate power supply to be sufficient to provide emergency lighting to certain portions of the building used by the public; requiring a residential multifamily dwelling to have a generator and fuel source available on the property or proof of a guaranteed service contract; requiring a local building inspector to provide verification of certain engineering plans and capabilities for alternate generated power to the emergency management director of the county by certain dates; requiring a newly constructed residential multifamily dwelling to have an alternate generated power source for use following a disaster or emergency; requiring a local building inspector to provide certain engineering plans for alternate generated power to the emergency management director prior to occupancy of the building; requiring an owner, managing entity, or operator to maintain a written emergency operations plan and a log of inspections; requiring an owner, managing entity, or operator to keep a generator key near an installed generator unit; requiring an elevator inspector to confirm required capabilities and a contract for contingent services; prescribing additional requirements with respect to funding and emergency evacuation for certain dwellings for persons age 62 and older; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 940—A bill to be entitled An act relating to court costs for drug court programs; creating s. 938.20, F.S.; authorizing counties to provide by ordinance for funding of drug court programs through the assessment of an additional mandatory court cost; providing for the assessment to be imposed against persons who plead guilty or no contest to, or are convicted of, certain drug-abuse prevention and control provisions or certain local ordinances or uniform traffic control laws involving alcohol or other substance use or abuse; providing for collection and deposit of the assessment; providing for administration of the funds; providing an effective date.

By the Committee on Community Affairs; and Senator Fasano—

CS for SB 1006—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S.; revising definitions; requiring the sponsoring agency of a community residential home to provide certain information to a local government under certain circumstances; deleting obsolete provisions; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Diaz de la Portilla—

CS for SB 1062—A bill to be entitled An act relating to coordinated 311 nonemergency and other governmental services telephone systems; creating s. 365.180, F.S.; defining the term “coordinated 311 nonemergency and other governmental services telephone system”; authorizing the Department of Community Affairs to accept and administer funds to provide grants for coordinated 311 nonemergency and other governmental services systems; authorizing counties and municipalities to apply for grants; requiring a county or municipality to provide matching funds; requiring the department to award grants in order of priority; providing for certain limitations on grant funds received; authorizing the department to adopt rules; providing for the award of a grant to be contingent upon appropriation or the availability of funds from private sources; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senators Haridopolos, Crist and Lynn—

CS for SB 1162—A bill to be entitled An act relating to public records; creating s. 790.0601, F.S.; creating an exemption from public-records requirements for certain personal identifying information held by the Division of Licensing of the Department of Agriculture and Consumer

Services; providing for retroactive application of the exemption; providing for disclosure of such information under specified conditions; providing for review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Judiciary; and Senator Aronberg—

CS for SB 1170—A bill to be entitled An act relating to the Florida Trust Code; creating parts I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII of chapter 736, F.S.; providing a short title; providing general provisions and definitions; providing for judicial proceedings; providing for representations; providing for creation, validity, modification, and termination of trusts; providing for creditors' claims; providing for spendthrift, discretionary, and revocable trusts; providing for the office of trustee; providing for powers and duties of the trustee; providing for trust investments; providing for liability of trustee and rights of persons dealing with trustee; providing for rules of construction; providing for charitable trusts; providing miscellaneous provisions; creating s. 518.117, F.S.; authorizing investment of certain fiduciary funds by certain fiduciaries; amending s. 660.25, F.S.; providing a definition of the term "investment instrument"; amending s. 660.417, F.S.; revising provisions relating to investment of fiduciary funds in investment instruments by certain banks or trust companies; creating s. 689.175, F.S.; abolishing the worthier title doctrine; providing construction of certain instrument language; amending s. 731.103, F.S.; correcting a cross-reference; providing construction relating to establishment of death by certain evidence under certain circumstances; creating s. 731.1035, F.S.; providing for application of rules of evidence in civil actions to certain proceedings; amending s. 731.201, F.S.; revising definitions; conforming terms and correcting cross-references; amending s. 731.303, F.S.; specifying nonapplication of certain orders relating to powers of revocation and powers of appointment; revising provisions relating to representation by a holder of a power of appointment; amending s. 732.513, F.S.; deleting a ground protecting a devise's validity; amending s. 732.603, F.S.; revising provisions relating to antilapse, deceased devisees, and class gifts; amending s. 744.331, F.S.; revising provisions relating to orders determining incapacity; amending s. 744.441, F.S.; revising authority of certain guardians to prosecute or defend claims or proceedings for certain purposes; specifying duties of a court; creating s. 744.462, F.S.; providing requirements for judicial determinations relating to alternatives to guardianship; providing duties of a court; amending ss. 497.458, 607.0802, 617.0802, 660.46, 660.418, 689.071, 689.075, 709.08, 721.08, 721.53, 732.2075, 732.604, 732.611, 733.212, 733.602, 733.805, 733.817, 738.104, 738.1041, 738.202, 739.102, and 744.361, F.S., to conform terms and correct cross-references; repealing ss. 737.101, 737.105, 737.106, 737.111, 737.115, and 737.116, constituting part I of ch. 737, F.S., relating to trust registration; repealing ss. 737.201, 737.202, 737.203, 737.2035, 737.204, 737.2041, 737.205, 737.206, 737.2065, 737.207, 737.208, and 737.209, constituting part II of ch. 737, F.S., relating to jurisdiction of courts; repealing ss. 737.301, 737.302, 737.303, 737.3035, 737.304, 737.305, 737.3053, 737.3054, 737.3055, 737.306, 737.3061, 737.307, 737.308, and 737.309, constituting part III of ch. 737, F.S., relating to duties and liabilities of trustees; repealing ss. 737.401, 737.402, 737.4025, 737.403, 737.4031, 737.4032, 737.4033, 737.404, 737.405, and 737.406, constituting part IV of ch. 737, F.S., relating to powers of trustees; repealing ss. 737.501, 737.502, 737.503, 737.504, 737.505, 737.506, 737.507, 737.508, 737.509, 737.510, 737.511, and 737.512, constituting part V of ch. 737, F.S., relating to charitable trusts; repealing ss. 737.6035, 737.621, 737.622, 737.623, 737.624, 737.625, 737.626, and 737.627, consisting of part VI of ch. 737, F.S., relating to rules of construction of trust administration; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senators Rich, Lynn and Crist—

CS for SB 1224—A bill to be entitled An act relating to Prosperity Campaigns; creating s. 445.057, F.S.; establishing the Florida Prosperity Campaign Council within Workforce Florida, Inc.; providing membership; providing for meetings and reimbursement for per diem and travel expenses; providing duties of the council; requiring that development of financial literacy instruction be included in high school life management skills coursework; providing reporting requirements; providing for repeal; amending s. 1003.43, F.S., relating to general require-

ments for high school graduation; requiring that financial literacy instruction be part of the life management skills credit requirement; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senator Margolis—

CS for SB 1230—A bill to be entitled An act relating to tax credits for certain taxpayer expenditures to promote employee fitness; creating s. 220.192, F.S.; providing a credit against the tax on corporate income for certain taxpayer expenditures relating to providing employee fitness facilities or supporting fitness-related activities by employees; defining terms; amending s. 220.02, F.S.; providing the order in which credits against the corporate income tax shall be taken; amending s. 220.13, F.S.; adding the amount taken as a credit under s. 220.192, F.S., to adjusted federal income; creating s. 624.5108, F.S.; providing a credit against the tax on insurers for employee fitness costs, as defined in this act, which are incurred by an insurer; amending s. 624.509, F.S.; providing for the order of credits against the tax on insurers; providing an effective date.

By the Committee on Children and Families; and Senator Lynn—

CS for SB 1286—A bill to be entitled An act relating to substance abuse and mental health services; amending s. 394.655, F.S.; revising the duties of the Florida Substance Abuse and Mental Health Corporation; requiring the corporation to ensure the provision of services that promote recovery and resiliency-based systems of care; requiring that certain members appointed to the corporation be primary consumers of mental health or substance abuse services or family members of primary consumers of such services; defining the term "primary consumer"; delaying the date when provisions establishing the corporation are scheduled to expire; amending s. 394.66, F.S.; revising and providing additional legislative intent with respect to the substance abuse and mental health services provided by the Department of Children and Family Services and its providers; requiring that continuity of care be ensured for persons having a mental illness who are released from a state correctional facility; providing an effective date.

By the Committee on Community Affairs; and Senator Constantine—

CS for SB 1336—A bill to be entitled An act relating to the Florida Building Code; authorizing the Florida Building Commission to amend wind-design standards in the code; expressly superseding a provision; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SJR 1344—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution to broaden the tax exemption for governmental uses of municipal property and to authorize property owned by a municipality or special district and used for certain purposes to be exempt from taxation as provided by general law.

By the Committee on Health Care—

CS for SB 1412—A bill to be entitled An act relating to Medicaid fraud and abuse; creating s. 409.9135, F.S.; requiring that managed care organizations providing or arranging services for Medicaid recipients establish and maintain special investigative units; requiring each managed care organization to submit a plan for detecting and preventing fraud and abuse within the Medicaid program to the Agency for Health Care Administration; specifying requirements that must be met if a managed care organization contracts with another entity to conduct activities to detect and prevent fraud and abuse; providing that the act does not create a private right of action; authorizing the Office of the Inspector General in the agency, the agency's Bureau of Program Integrity, the agency's contract management staff, and the Medicaid Fraud Control Unit to review records and determine compliance with the act;

requiring managed care organizations to file a report with the Office of the Inspector General if a fraudulent or abusive act is suspected; specifying the information to be included in a report of suspected fraud or abuse; providing civil immunity to any person or entity that reports suspected fraud or abuse; authorizing designated staff of a managed care organization to share information concerning suspected fraud or abuse; providing that a managed care organization is not liable for the fraud or abuse of an employee or agent under certain circumstances; providing exceptions; requiring that any recovery of funds by the state from a Medicaid provider or recipient representing payment or payments made by a managed care organization compensated by the state by capitation be returned to the capitated managed care organization from which the payment to the Medicaid provider or recipient originated; providing exceptions; directing the Medicaid Fraud Control Unit, in conjunction with managed care organizations, to track and publish on an annual basis all Medicaid fraud recoveries made under the act; providing rule-making authority; requiring the agency to create a system to validate information collected by a Medicaid encounter-data system; requiring that the agency report on its efforts to coordinate anti-fraud and abuse systems related to managed care organizations to the Governor and the Legislature; providing an effective date.

By the Committee on Government Efficiency Appropriations—

CS for SB 1430—A bill to be entitled An act relating to property taxation; amending s. 193.155, F.S.; providing conditions under which changes, additions, or improvements that replace all or a portion of homestead property damaged or destroyed by misfortune or calamity shall not be assessed at just value; amending s. 196.031, F.S.; providing conditions under which homestead property that is damaged or destroyed by misfortune or calamity and is uninhabitable on January 1 after the damage or destruction occurs may be granted the homestead exemption; providing for retroactive application; providing an effective date.

By the Committee on Government Efficiency Appropriations; and Senators Atwater and Campbell—

CS for SJR 1436—A joint resolution proposing an amendment to Section 7 of Article XI of the State Constitution, relating to state tax or fee limitations, to specify application to imposition of new state taxes or fees, increases in existing state taxes or fees, and imposition of significant financial impact on state government.

By the Committee on Banking and Insurance; and Senator Alexander—

CS for SB 1506—A bill to be entitled An act relating to insurance; amending ss. 626.9913, 626.99175, 627.836, 651.026, and 651.0261, F.S., relating to viatical settlement providers, premium finance companies, and continuing care providers; authorizing the Financial Services Commission to require by rule that certain statements or filings be submitted by electronic means in a certain format; amending s. 628.281, F.S.; authorizing the Office of Insurance Regulation to require that certain records or copies be submitted by remote electronic access; providing an effective date.

By the Committee on Children and Families; and Senator Lynn—

CS for SB 1510—A bill to be entitled An act relating to child care; amending s. 402.281, F.S.; providing criteria that certain child care facilities must meet in order to obtain and maintain a designation as a Gold Seal Quality Care provider; requiring the Department of Children and Family Services to adopt rules pertaining to the Gold Seal Quality Care program; amending s. 402.302, F.S.; revising the definition of the term “screening” to include volunteers; amending s. 402.310, F.S.; authorizing the department or local licensing agency to administer certain disciplinary sanctions to licensees and registrants; amending s. 402.313, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on family day care homes

that fail to comply with licensure or registration requirements; providing that the minimum standards required for family day care homes for licensure should include health and safety standards; amending s. 402.3131, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on large family child care homes that fail to comply with licensure requirements; transferring, renumbering, and amending s. 402.3017, F.S.; revising the provisions of the Teacher Education and Compensation Helps scholarship program; authorizing the Agency for Workforce Innovation to administer the program and adopt rules; amending s. 402.309, F.S.; authorizing the issuance of a provisional license or registration for child care to certain applicants; prohibiting a provisional license or registration from being issued under certain circumstances; authorizing the suspension or revocation of a provisional license or registration under certain circumstances; requiring the department to adopt rules; creating s. 402.317, F.S.; authorizing the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 1536—A bill to be entitled An act relating to indoor smoking places; amending s. 386.203, F.S.; defining the term “person” for purposes of the Florida Clean Indoor Air Act; amending s. 386.204, F.S.; prohibiting a person in charge of an enclosed indoor workplace from permitting smoking in that workplace; amending s. 386.2045, F.S.; conforming cross-references; amending s. 386.206, F.S.; deleting obsolete provisions requiring that signs be posted in an enclosed indoor workplace; amending s. 386.208, F.S.; conforming a cross-reference; amending s. 561.695, F.S.; conforming cross-references; prohibiting a vendor from permitting smoking in a licensed premises unless it is designated as a stand-alone bar; providing a penalty for a licensee who knowingly makes a false statement on an affidavit of compliance; deleting a provision requiring that a licensee operating a stand-alone bar certify to the Division of Alcoholic Beverages and Tobacco that it derives only a certain percentage of its gross revenue from the sale of food; providing an effective date.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 1556—A bill to be entitled An act relating to condominiums; amending s. 718.117, F.S.; substantially revising provisions relating to the termination of the condominium form of ownership of a property; providing legislative findings; providing grounds for termination; providing powers and duties of the board of administration of the association; waiving certain notice requirements following natural disasters; providing requirements for a plan of termination; providing for the allocation of proceeds from the sale of condominium property; providing powers and duties of a termination trustee; providing notice requirements; providing a procedure for contesting a plan of termination; providing rules for the distribution of property and sale proceeds; providing for the association’s status following termination; allowing the creation of another condominium by the trustee; specifying an exclusion; providing an effective date.

By the Committee on Banking and Insurance—

CS for SB 1586—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 626.921, F.S., relating to an exemption from public-records requirements for certain information concerning surplus lines insurance which is specific to a particular policy or policyholder and is submitted to the Department of Financial Services or the Florida Surplus Lines Service Office; saving the exemption provided for information submitted to the Florida Surplus Lines Office from repeal under the Open Government Sunset Review Act; revising provisions authorizing the office to disclose information to the department; deleting provisions applying the exemption to information the department receives from the office; deleting provisions that provide for the repeal of the exemption; providing an effective date.

By the Committee on Banking and Insurance; and Senator Haridopolos—

CS for SB 1620—A bill to be entitled An act relating to warranty associations; creating s. 634.042, F.S.; prohibiting a motor vehicle service agreement company from investing or lending company funds for specified purposes; amending s. 634.301, F.S.; revising a definition of “home warranty” to specify nonapplication to certain contracts or agreements; creating s. 634.3076, F.S.; prohibiting a home warranty association from investing or lending association funds for specified purposes; amending s. 634.3077, F.S.; specifying an additional requirement for contractual liability insurance purchased by a home warranty association; amending s. 634.312, F.S.; revising a prohibition against the Office of Insurance Regulation for nonapproval of certain forms; specifying cancellation requirements for home warranty contracts; providing return of premium requirements; authorizing an administrative fee; specifying refund amounts for a home warranty under certain circumstances; amending s. 634.336, F.S.; removing cancellation practices from the provisions that constitute unfair methods of competition and unfair or deceptive acts or practices; creating s. 634.4062, F.S.; prohibiting a service warranty association from investing or lending association funds for specified purposes; repealing s. 634.345, F.S., relating to a buyer’s right to cancel a home warranty; providing an effective date.

By the Committee on Government Efficiency Appropriations—

CS for SB 1678—A bill to be entitled An act relating to governmental operations; creating s. 216.0236, F.S.; providing legislative intent that the fees charged by state agencies for providing a regulatory service or regulating a profession or business cover the costs of the regulatory service or oversight; requiring that each state agency review its fees; providing criteria for the review; requiring that each agency, as part of its legislative budget request, provide to the Governor and Legislature a proposal for making a regulatory service or program self-sufficient or provide justification for a subsidy from other state funds; providing an effective date.

By the Committee on Ethics and Elections; and Senator Posey—

CS for SB 1754—A bill to be entitled An act relating to ethics; amending s. 112.321, F.S.; prohibiting an individual who qualifies as a lobbyist from serving on the Commission on Ethics; prohibiting a member of the commission from lobbying any state or local government entity; providing exceptions for individuals who are members of the commission on July 1, 2006, until the expiration of their current terms; amending s. 112.313, F.S.; prohibiting a member of the Legislature from accepting compensation from an agency or business entity receiving state funds; providing penalties; providing effective dates.

CO-INTRODUCERS

Senators Aronberg—SB 446, SB 1318; Bennett—SB 172, SCR 204, SB 446; Bullard—CS for SB 248, CS for SB 1298, SB 1554, SB 1606, CS for SB 1616, SB 1636; Campbell—SR 2196; Crist—SB 102, CS for SB 212, CS for SB 264, SB 442, SB 502, SB 656, SB 714, CS for SB 1046, SB 1064, SB 1092, CS for SB 1256; Diaz de la Portilla—SB 1206; Fasano—SB 442, SB 496; Geller—SB 172, SB 1896; Hill—SB 446, SB 1324, SB 1896, SB 2050, SB 2056; Klein—SB 446; Lawson—SB 446, SB 1896; Lynn—SB 714; Margolis—SB 1896; Peaden—SB 446, SB 652, SB 1896; Posey—SB 1282; Rich—SB 250, SB 1728; Smith—SM 406, SB 1032, SB 1612, SB 1896; Wilson—SCR 204

SENATE PAGES

March 13-17, 2006

Aviram “Avi” Assidon, Sunrise; Christopher Bonk, Longwood; William Chason, Wewahatchka; William “Will” Estes, Winter Park; Sara Faessel, Pensacola; Gregory Fink, Hollywood; William “Will” Fly, Santa Rosa Beach; Emily Green, DeFuniak Springs; Antonio Harris, Tallahassee; Jack Jennings, Orlando; Faith Lowe, Orlando; Jennifer Nergard, Orange Park; Margaret “Lynn” Papapetrou, Live Oak; Joshua “Josh” Reynolds, Live Oak; Jarrod Schweizer, Shalimar; Whitney Schweizer, Shalimar; Brandy Smith, Tallahassee; Mollie Sussman, Bay Harbor Islands; Paige Sussman, Bay Harbor Islands; James “Jake” Tate, Jr., Venice; Tiffany Ward, Pembroke Pines